

REMARKSSummary of the Office Action.

Claims 1-34, 36-39, 57, and 63-65\* were pending in this application.

These claims have been rejected under 35 U.S.C. 103(a) as being obvious from Bertagna et al. U. S patent No. 5,057,677 ("Bertagna") in view of one or more U.S. Patents: claims 1, 2, 10, 13, 14, 16-18, 31, 33, 39, 43, 44, 47, 48, 57, 64, and 65 in view of Sherman et al. U.S. Patent No. 6,189,788 ("Sherman"); claims 3, 5 and 38 in view of Sherman, and further in view of Miller U.S. Patent No. 5,202,825 ("Miller"); claims 6 and 40 in view of Sherman, and further in view of Swartz et al. U.S. Patent No. 5,594,228 ("Swartz"); claims 7, 8, 11, 12, 20, 21, 23, 24, 28, 29, 32, 34, 36, 41, and 42 in view of Sherman, and further in view of Modiano et al. U.S. Patent No. 5,670,768 ("Modiano"); claims 9 and 46 in view of Sherman, and further in view of Postrel et al. U.S. Patent No. 6,003,008 ("Postrel"); claims 15 and 37 in view of Sherman, and further in view of Ju U.S. Patent No. 5,811,774 ("Ju"); claims 19 and 49 in view of Sherman, and further in view of Talati et al. U.S. Patent No. 5,903,878 ("Talati"); claim 22 in view of Sherman and Modiano, and further in view of Ju; claim 25 in view of Sherman and Modiano, and further in view of Miller and Swartz; claim 26 in view of Sherman, and Modiano, and further in view of Bernard et al. U.S. Patent No. 5,918,213 (Bernard"); claim 27 in view of Sherman, and Modiano, and further in view of Postrel; claim 30 in view of Sherman and Modiano, and further in view of Talati; claim 45 in view of Sherman, and further in view of Bernard; and claim 63 in view of Sherman, and further in view of Saliga U.S. Patent No. 5,397,884 ("Saliga").

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\* The Examiner has kindly renumbered claim 50 as claim 65 to conform to the requirements of 37 CFR. 1.126.

Applicants' Reply

Applicants appreciate Examiner's renumbering of claim 50 as claim 65 to conform with the requirements of 37 CFR. 1.126.

Applicants have amended claims 1, 11, 18, 20, 21, 29, 31, 34, 48, 57, and 65 to further define or clarify their invention. In particular, independent claims 1, 20, 31, 57, and 65 have been amended to recite that the tendering or service stations include "a reader for reading a magnetic stripe card, wherein card information read by the reader and responses to said card information are transmitted over said wireless communication network". Support for this limitation is found in the specification (see e.g., specification page 16 lines 11-12, and FIGS. 4-9). Dependent claims 11, 18, 21, 29, 31, 34 and 48 have been amended to conform to the amended language of their respective parent claims 1, 20, or 31. Applicants have also added new claims 66- 78 that depend from claim 64, to further define their invention.

Applicants respectfully traverse the prior art rejections.

Claims 1-34, 36-39, 57 and 65

Claims 1-34, 36-39, 57 and 65 are directed toward applicants' inventive tendering service stations or systems that include, for example, movable housing/stations and detachable terminals.

Independent claims 1, 20, 31, 57 and 65

Independent claims 1, 20, 31, 57 and 65 were rejected as being obvious from Bertagna in view of Sherman. Independent claim 20 was rejected as being obvious from Bertagna modified by Sherman, further in view of Modiano.

Applicants respectfully submit that the cited references Bertagna, Sherman, and Modiano, whether taken individually or in combination, do not show all the elements of the applicants' tendering service stations or systems. For example, the cited references do not show a tendering or service station in which magnetic stripe card information read by a reader and

responses to the card information are "transmitted over a wireless communication network." The Examiner has already noted that Bertagna does not involve wireless communications. (Office Action, last complete sentence at the bottom of page 3). Modiano also does not involve wireless communications. Further, applicants note that Sherman does not disclose, teach or suggest using a magnetic stripe card reader or transmitting card information and responses thereto over a wireless network as required by applicants' claims 1, 20, 31, 57 and 65.

Thus, independent claims 1, 20, 31, 57 and 65 are patentable over the cited references Bertagna, Sherman, and Modiano irrespective of whether the references are viewed individually or in any combination.

### Claim 63

Claim 63 relates to method for controlling functions available to terminal users in a system in which a host processor communicates with a plurality of mobile terminals by radio. The elements of the claimed method include, inter alia, issuing a mobile terminal to a user, receiving user identification data on the terminal, and communicating the identification data to the host processor, using the host processor to hierarchically determine authorized functions to be made available to the user, communicating a message to the terminal identifying available authorized functions, and operating said host processor to provide user selected ones of said authorized functions to the terminal.

Claim 63 was rejected as being obvious from Bertagna modified by Sherman, further in view of Saliga. The Examiner correctly notes that Saliga teaches coding a lock access key to provide different levels of access to locks to a hotel guest. (Office Action page 15, Section 18). However, applicants respectfully submit that the Examiner mistakenly concludes that Saliga's "hierarchical access control mode [method]" somehow grafted onto the Bertagna and Sherman systems makes the method of claim 63 obvious.

Applicants note that portions of Saliga cited by the Examiner (Saliga Fig. 1 col. 6:17-57) relate to providing operator access to the host computer/controller (32) that is used for

issuing lock keys. Conventional identification of the operator (e.g., desk clerk, hotel manager) and not that of the key/"terminal" user, is used to control access of the operator "to use the controller" according to the authority level of the operator. Saliga's keys issued to hotel guests have no input means whereby a hotel guest/key user can enter his or her identification. Thus unlike applicants' claim 63, Saliga does not show receiving the key/terminal user identification on the key/terminal. Further, Saliga, does not disclose, teach or suggest communicating a message to the key/terminal identifying authorized functions available to the key/terminal user as required by claim 63. Additionally, Saliga fails to disclose, teach or suggest operating controller 32 to provide select functions to the key/terminal in response to selections made by the key/terminal user as required by claim 63. The other two cited references Bertagna and Sherman also do not disclose, teach or suggest at least these elements of claim 63.

Thus, claim 63 is patentable over the cited references Bertagna, Sherman, and Saliga irrespective of whether the references are viewed individually or in any combination.

#### Claim 64

Claim 64 was rejected as being obvious from Bertagna in view of Sherman. Claim 64 relates to method of servicing customers in a retail establishment having a wireless data communications network and a portable terminal connected to a tendering station for completing customer transactions. The elements of the method of servicing a customer include, inter alia, operating the portable terminal while it is detached from the tendering station. The detached terminal is operated to provide the customer with information that is received over the wireless network from a central computer.

Applicants' respectfully submit that at least this preceding element of claim 63 is not shown by Bertagna and Sherman. As noted by the Examiner, Bertagna does not involve wireless communications. (Office Action, last complete sentence at the bottom of page 3). Further, Sherman does not involve servicing customers in a retail establishment, and does not disclose, teach or suggest providing a customer with information acquired by the portable

terminal over a wireless network from a central computer. Thus, claim 63 is patentably over the combined reference Bertagna and Sherman. Modiano irrespective of whether the references are viewed individually or in any combination.

Claims 2-19, 21-30, 32-34, 36-49, 66-78

Dependent claims 2-19, 21-30, 32-34, 36-49 depend from one of independent claims 1, 20, 31 or 64 that, as shown above, are patentable. Therefore, these dependent claims also are patentable.

Conclusion

The foregoing demonstrates that claims 1-34, 36-39, 57, and 64-78 are in condition for allowance. Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

By: 

James J. Maune

Patent Office Reg. No. 26,946

Manu J. Tejwani

Patent Office Reg. No. 37,952

30 Rockefeller Plaza

44th Floor

New York, NY 10012-4498

*Attorneys for Applicants*

212-408-2566